

TOWNSEND and TOWNSEND and CREW LLP

By: Therese Fuentes  
/Therese Fuentes/

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Kenneth Rambo

Application No.: 10/840,026

Filed: May 5, 2004

For: SYSTEM AND METHOD FOR  
SIMULTANEOUSLY DISPLAYING  
VIDEO PROGRAMMING AND  
INSTANT MESSAGING

Customer No.: 20350

Confirmation No.: 7767

Examiner: Charles N. Hicks

Art Unit: 2424

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER  
37 CFR §1.97 and §1.98

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

The references cited on attached form PTO/SB/08A&B are being called to the attention of the Examiner. Copies of the references are not enclosed. Copies of any office action and responses for related cases are readily available on PAIR such that the Applicants are not including those redundantly. Applicant understands the Examiner can access papers from the prosecution of the cited cases electronically via PALM. However, if the Examiner would like each of the office actions identified or has difficulty obtaining papers from that source he or she are invited to call the undersigned who will be happy to supply them.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

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